



114/00
#5 Linda
Up 1648 12/26/00

CERTIFICATE OF MAILING

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH
THE UNITED STATES POSTAL SERVICE AS FIRST-CLASS MAIL IN AN
ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND
TRADEMARKS, WASHINGTON, D.C. 20231, ON 11 December 2000

Audrey Boyd

December 11, 2000

DATE

RECEIVED

DEC 21 2000

TECH CENTER 1600/2000

Attorney Docket No. B45110

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruck, et al. 11 December 2000
Serial No.: 09/509,239 Group Art Unit No.: 1648
Filed: March 23, 2000 Examiner: U. Winkler
For: Fusion Proteins Comprising HIV-1 TAT and/or Nef Proteins

Commissioner of Patents and Trademarks
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

This paper is in response to the Office Action dated November 16, 2000. Claims 32-77 are pending in the application. Claims 32-77 are subject to restriction requirement. Applicants desire to reply as follows.

Restriction to one of the following is required under 35 U.S.C. § 121:

Group I. Claims 32, 35, 37-40 and 43-53, as the claims read on Tat linked to a fusion partner, drawn to a vaccine composition.

Group II. Claims 32, 36-40 and 43-53, as the claims read on Nef linked to a fusion protein, drawn to a vaccine composition.

Group III. Claim 32, 33-54, as the claims read on Nef linked to Tat or Nef linked to Tat linked to a fusion partner, drawn to a vaccine composition.

Group IV. Claim 55-57, drawn to a nucleic acid and a host cell containing nucleic acid.

Group V. Claims 58, 60, 62, 64, 65, 67, 68, 70, 72, and 74, drawn to a method of producing a fusion protein.

Serial No.: 09/509,239
Group Art Unit No.: 1648



Group VI. Claims 59, 61, 63, 66, 69, 71 and 73, drawn to a method of producing a recombinant protein.

Group VII. Claims 76 and 77, drawn to a vaccine comprising a recombinant Tat containing protein.

RECEIVED

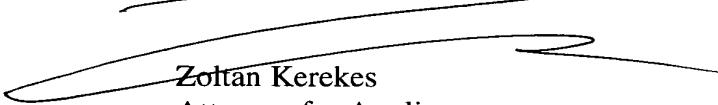
DEC 21 2000

Applicants wish to make a provisional election of Group III with traverse, claims 32

and 33-54. Applicants retain the right to file divisional applications on the non-elected

subject matter.

Respectfully submitted,


Zoltan Kerekes
Attorney for Applicants
Registration No. 38,938

SMITHKLINE BEECHAM CORPORATION
Corporate Intellectual Property - UW2220
P.O. Box 1539
King of Prussia, PA 19406-0939
Phone (610) 270-5024
Facsimile (610)270-5090
N:\zk\apps\b45110\RESTRICT.DOC